



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 1 August 2023

## EXECUTIVE

### Meeting to be held on Wednesday 9 August 2023

Please see the attached supplementary report (Part 1 and Part 2).

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| 11 | <b>OPR - AWARD OF CONSTRUCTION CONTRACT FOR SAXON CENTRE (AGE CONCERN)</b> (Pages 3 - 10)          |   |
| 12 | <b>PART 2: OPR - AWARD OF CONSTRUCTION CONTRACT FOR SAXON CENTRE (AGE CONCERN)</b> (Pages 11 - 18) | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |

*Copies of the documents referred to above can be obtained from*  
<http://cds.bromley.gov.uk/>

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Report No.  
HPR2023/046

## London Borough of Bromley

### Part One

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**Decision Maker:** EXECUTIVE

**Date:** 9<sup>th</sup> August 2023

**Decision Type:** Non-Urgent Non-Executive Key

**Title:** OPR - AWARD OF CONSTRUCTION CONTRACT FOR SAXON CENTRE (AGE CONCERN)

**Contact Officer:** Darren Essex – Head of Special Projects Tel: 0208 313 4312 (xtn 3113) E-mail: darren.essex@bromley.gov.uk

**Chief Officer:** Sara Bowrey - Director Housing, Planning and Regeneration

**Ward:** Orpington

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#### 1. REASON FOR REPORT

- 1.1 To approve the award of a construction contract to implement essential repair and maintenance works as approved within the Operational Property Review report dated 30<sup>th</sup> November 2022 on 12th December 2022 at a meeting of the Council's Full Council.
  - 1.2 To approve the accelerated delivery of these works in advance of the OPR's main programme of works to enable continued operation of Age Concern's facility.
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#### 2. RECOMMENDATION(S)

- 2.1 Approve the award of a construction contract to the building contractor referred to in Part 2 of this report to carry out essential repair and maintenance works to the Ground Floor and external areas of the premises at the Saxon Centre, Orpington comprising heating, electrical works, fire alarm, window replacement, health & safety, building regulations compliance and other general building works.
- 2.2 Approve the expenditure of to be funded from the Adult & Day Centres and Care Homes from budget within the OPR.
- 2.3 Approve the allocation of a contingency budget and other associated delivery costs which if utilised will be funded from the available budget within the Adult & Day Centres and Care Homes.

- 2.3 Approve the execution of this contract which will be in the JCT Intermediate Form of Contract (IFC) with Contractors Design Portions 2016 as amended form with the benefit of a performance bond and collateral warranties.
- 2.4 Approve the commencement of these works which are scheduled to take 6 weeks to complete following a 1-month mobilisation period. Subject to execution of the construction contract and possession of the ground floor from Age Concern the works are anticipated commence in September 2023 for completion by November 2023.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: The Age Concern facility at the Saxon Centre will close for the duration of the works, plus additional time to remove and return their operational equipment and furniture, for an estimated period of 8 weeks.
  2. The Parent Contact Centre will remain open for the duration of the works. The Programme Delivery team are working closely with Children's Services to minimise any disruption to services.
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## Transformation Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority:
    - (1) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
    - (2) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (3) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
    - (4) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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## Financial

1. 1. Cost of proposal: Estimated Cost No Cost Not Applicable: See Part 2.
  2. 2. Ongoing costs: Recurring Cost
  3. 3. Budget head/performance centre: See Part 2 Report.
  4. 4. Total current budget for this head: £ See Part 2 Report.
  5. 5. Source of funding: OPR
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## Personnel

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
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## Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Applicable
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## Procurement

1. Summary of Procurement Implications: See Part 2 Report.
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## Property

1. Summary of Property Implications: See Part 2 Report.
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### Carbon Reduction and Social Value

1. The works will enable the continued operation of the facility operated by Age Concern who cater for elderly clients, including those who are physically frail and/or have dementia and are in need of a day out from their home environment, or whose carers need a day of respite.
  2. The works will reduce heating, repair and maintenance costs at the premises for the Council and Age Concern over the next 10 years.
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### Customer Impact

1. Estimated number of users or customers (current and projected): See Part 2 Report.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Consultation with the Ward Members is ongoing and an update will be provided by officers at the meeting.

### **3. COMMENTARY**

- 3.1 In the Executive report HPR2023/020 dated 29<sup>th</sup> March 2023 the procurement of building contractors to deliver the Operational Property Refurbishment Programme was approved.
- 3.2 In July 2023, following a building survey of the Saxon Centre, a Pre-Tender Estimate for the proposed preventative planned maintenance works as indicated to be required by the survey report was undertaken by the Council's construction services consultant. The consultants provided an estimated budget for the works to the ground floor and external areas occupied by Age Concern as set out in the Part 2 report.
- 3.3 The proposed works comprise; upgrade fire alarm, replacement/repair of FM equipment i.e. ceiling fans, basins, hand dryers etc., removal of all moss, organic matter, rubbish, debris etc from all pitched and flat roofs and rainwater goods, fill and level tree pit in the car park, replacement consumer unit including surface mounted re-wiring and associated conduit, replacement of internal fire doors, installation of a new heating system, replacement of ground floor windows and replacement of carpet with vinyl as required for health & safety purposes.
- 3.4 The works include: Scaffold / Access External Joinery / Windows / Doors, Roof / Rainwater Goods / Surface Water Drainage, Hard Surfacing, Internal Joinery / Screens / Doors, Drying and Plastering, Mechanical Works, Electrical Works and Sundry Items.
- 3.5 The works were procured via a compliant framework using a single stage competitive tender for the award of a JCT IFC Form of Contract with Contractors Design Portions.
- 3.6 Tender Documents were issued by through Pagabo framework to the following five contractors: Novus Property Solutions Ltd, Hollington & Sons (Builders) Ltd, Domino Commercial Interiors Ltd, Ash Contracting Ltd and T&B Contractors Ltd.
- 3.7 The following contractors later declined to tender: T&B Contractors Ltd, Ash Contractors Ltd and Domino Commercial Interiors Ltd.

### **4. CONTRACT AWARD RECOMMENDATION**

- 4.1 **Recommended Provider(s): See Part 2 Report**
- 4.2 **Estimated Contract Value (annual and whole life): See Part 2 Report**
- 4.3 **Other Associated Costs: See Part 2 Report**
- 4.4 **Proposed Contract Period: See Part 2 Report**

### **5. SOCIAL VALUE, CARBON REDUCTION AND LOCAL / NATIONAL PRIORITIES**

- 5.1 The works will enable the continued operation of the facility operated by Age Concern who cater for elderly clients, including those who are physically frail and/or have dementia and are in need of a day out from their home environment, or whose carers need a day of respite.
- 5.2 The works will reduce heating, repair and maintenance costs at the premises for the Council and Age Concern over the next 10 years.

## **6. TRANSFORMATION/POLICY IMPLICATIONS**

6.1 Better Bromley

## **7. STRATEGIC PROPERTY CONSIDERATIONS**

- 7.1 The tenant, Age Concern Orpington occupy the ground floor of the building by way of a Tenancy at Will, a short-term arrangement following expiry of the former lease that expired at 31<sup>st</sup> March 2023. The tenant wishes to continue its operations by way of a new lease that will offer them security of tenure for up to ten years.
- 7.2 Terms for the new lease are in draft form. It is proposed that the new lease will require the tenant to maintain and repair the part of the building let to them. The current arrangement provides for the Council to undertake a number of repairs to Age Concern's demise.
- 7.3 The nature of the proposed works requires the tenant to vacate the property together with all fittings for a minimum of six weeks for the duration of the works plus an estimated four days to vacate the property and a further four to reinstate all fittings at the end of the works.
- 7.4 An agreement to document the obligations of both Age Concern Orpington and the Council was submitted to solicitors for Age Concern at the end of May 2023, it is unlikely that an Agreement for Lease will be completed in advance of the commencement of the works.

## **8. PROCUREMENT CONSIDERATIONS**

8.1 See Part 2 Report.

## **9. FINANCIAL CONSIDERATIONS**

9.1 See Part 2 Report.

## **10. LEGAL CONSIDERATIONS**

- 10.1 This report seeks the Portfolio Holder's authority to award a works contract to the company named in part 2 for essential repairs and maintenance works regarding the Saxon Centre. As these works are valued at between £500k and £999,999 then this contract award can be approved by the Portfolio Holder following Agreement by the Chief Officer, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance.
- 10.2 The Council is the freeholder of this building and Age Concern are the tenants of part of the property. The Council has the legal power to hold, maintain and develop its landholdings and buildings in connection with its functions and general powers in the way described in this report. In addition, under Section 111 Local Government Act 1972 the Council has power to do anything calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. If these essential repairs and maintenance are not carried out then the Council would be failing in its statutory duties as a Landlord and in respect of health and safety legislation.
- 10.3 These works are below threshold public works contracts as defined by the Public Contracts Regulations 2015. Although it was not necessary to follow a fully regulated procurement through these Regulations, officers have pursued a mini competition via a compliant



Framework Agreement run by Pagabo. As the mini competition elicited fewer bids than the required number of bids by the Council's Contract Procedure Rules, permission was correctly sought under CPR 14.4 to proceed with the tender exercise.

- 10.4 External solicitors have been appointed to conclude the contractual documentation and internal Legal Services have liaised with these solicitors where necessary.

<b>Non-Applicable Headings:</b>	IT AND GDPR Considerations, Personnel Considerations
Background Documents: (Access via Contact Officer)	Executive Report dated 12 <sup>th</sup> December 2022  Executive Report dated Wednesday 29 March 2023

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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